

DEPOSITION 3RD.

Jeremiah Hughes, postponed.

SATURDAY, December 30.

The Committee met, present Messrs. Bower, Chairman, Ashe, Conner, Gilmer, Thompson, of Wake, and Worth.

Mr. W. N. H. Smith appeared and took his seat, having been appointed vice Mr. Lillington, excused from further service on this Committee.

Owing to the lateness of the hour, the Committee, on motion, adjourned until Monday evening next, 3 o'clock, P. M.

MONDAY, January 1, 1849.

The Committee met pursuant to adjournment, present Messrs. Bower, Chairman, Ashe, Conner, Gilmer, W. N. H. Smith, Halsey, and Thompson, of Wake.

Resolved, on investigation of the Testimony, that the vote of Samuel Madden is legal.

Resolved that the vote of Clayton Jones, who voted for John Berry, is illegal.

It is agreed, by the Committee, that William Minnis, John D. Gray, Lemuel Pickett, Julius S. Bracken, Spencer Truitt, David Barbour, Madison Murray, and Britain Castleberry, voted for John Berry, having conveyed their lands in trust, to secure their debts, that there had been no execution of the Trusts, and they had always remained in possession; that Charles M. Latimer and John Carlton, being Trustees, voted for John Berry on the lands conveyed to them in trust; and that George W. Cheek offered to vote for Hugh Waddell, but was refused permission to do so, on the ground that he had conveyed his lands in Trust.

It is agreed that Norwood Warren, offered to vote for Hugh Waddell, that he owned one hundred and seventy acres of land six months before the Election, but in September conveyed away one hundred and forty-seven acres, and received in payment on the same day, a Deed for one hundred and thirty acres, and that his vote was legal.

It is agreed that William H. Horner, who voted for John Berry, was entitled to vote.

Resolved, that the vote of Jacob Horner, who voted for John Berry, was not legal. Ashe and Bower dissenting.